

second voluntary amendment filed/mailed on September 22, 2002 (copy thereof is enclosed herewith). Thus, applicants have already amended Figure 7 to be in compliance with 37 CFR 1.8(a) so reconsideration of this request is respectfully requested.

Pursuant to the Examiner's request in paragraph 1 on page 2 of the First Official Action, a new clean retyped Abstract is submitted as new page 19. The first five words on line 1 of the original Abstract have been changed to "A".

In addition, pursuant to the Examiner's request, page 3 of the application has been amended to delete the last sentence in lines 3 - 6 at the top of such page. This deleted sentence referred to seven U.S. patents, and they have now been listed on a separate IDS Form pursuant to the Examiner's request. A list of the U.S. patents is fairly representative of the background of the invention, and applicants' believe that none of such patents teach nor disclose the invention as defined and claimed in the present patent application. Copies of such seven U.S. patents are also enclosed with this amendment and IDS form.

Applicants further submit herewith new clean retyped claims 1 and 3; 9 and 11; and 16 and 18. The marked up claims are also submitted herewith and are shown with the changes made to the claims in order to put this application in condition for allowance pursuant to the Examiner's indication of allowable subject

Serial No. 09/659,525

December 12, 2002

matter in paragraph 8 on page 4 of the First Office Action. Thus, this application is now believed to be in condition for formal allowance.

Furthermore, applicants intend to file a Rule 60 continuation patent application directed to the subject matter of all non-allowed and/or rejected claims of this patent application. Such a Rule 60 continuation patent application will be filed shortly, and the allowed claims will be cancelled with a voluntary amendment submitted concurrently with such new Rule 60 continuation patent application filing.

Accordingly, favorable reconsideration and passage of the present patent application to formal allowance is earnestly solicited at an early date.

Respectfully submitted,

**LACKENBACH SIEGEL LLP**

Dated: 12-12-2002

One Chase Road  
Scarsdale, New York 10583  
914-723-4300

MG:HAM:medm

Enclosures:

(cont'd next page)

By: 

HENRY A. MARZULLO, JR.  
Reg. No. 20,910

Serial No. 09/659,525



December 12, 2002

Clean Retyped Abstract

Marked-up Abstract

Clean Retyped Copy of Claims

1 and 3; 9 and 11; 16 and 18

Marked-up Claims

Clean Specification Page 3

Marked-up Specification Page 3

IDS Form (PTO-1449 Form)

Copies of 7 U.S. Patents

listed on PTO-1449

*2<sup>nd</sup> Vol. amend. dated 9-22-00*

*HLMA. 12-12-2002*

**RECEIVED**  
DEC 19 2002  
**GROUP 3600**



distributing information in the form of optical disks. For example, it has been found that CD-ROMs may be manufactured in a variety of shapes while still allowing the CD-ROMs to be read by conventional computer hardware. [Attention is particularly directed to the developments disclosed in U.S. Patent Nos. 5,740,155 to Spector, 5,852,598 to Wiest, 5,882,555 to Rohde et al., D394,648 to Rohde, D419,151 to Koedel, D419,152 to Lowenstein and D421,427 to Siegal.]

DELETED

In view of the speed at which technology is currently developing, and at which the storage of information in forms other than paper is being readily accepted by the masses, the possibilities for the ready exchange of information is only limited by the imagination of those at the cutting edge of technology and marketing. In fact, the versatility of compact digital storage mediums has to date only been applied in a limited number of applications.

One area in which the transfer of information is limited by the use of traditional information transfer techniques is consumer products. Specifically, when you purchase a new stereo, the box is filled with a variety of papers explaining how to assemble the stereo, how to use the stereo, who to call when the stereo malfunctions, etc. In many situations, the paper information may not answer highly specific questions easily and understandably concerning a new purchase. Similarly, when you receive a prescription, the bag is often filled with written information concerning the prescription you have just purchased. Unfortunately, however, this prescription information is often impossible to make sense of or only

## ABSTRACT OF THE DISCLOSURE

<sup>A</sup>  
[The invention relates to a] hang tag and method for labeling products. The hang tag is composed of a digital memory encoded with product information and a connecting member which removably couples the digital memory to the product. In this way, the hang tag provides consumers with a wealth of information relating to accessories, operating instructions, general company data, customer service information, web site links, telephone contacts, and other information consumers may find useful.

MARKED -UP COPY OF ABSTRACT



MARKED-UP CLAIMS

RECEIVED  
DEC 19 2002  
GROUP 3600

1. A hang tag for selective attachment to a product, comprising:  
  
a digital memory encoded with information relating to a product to which it is to be attached; and means for selective attachment to a product[.] ; and said means for selective attachment is an eyelet frangibly secured to said digital memory.
3. The hang tag according to claim [2] 1, wherein the means for attachment further includes a cord adapted for positioning between the product and the eyelet.
9. A method for labeling products so as to provide consumers with a wealth of information relating to the product, comprising:  
  
producing a hang tag including a digital memory encoded with information relating to a product to which it is to be attached and means for selective attachment to the product; and attaching the hang tag to the product[.]; and said means for attachment is an eyelet releasably secured to said digital memory.
11. The method according to claim [10] 9, wherein the means for attachment further includes a cord adapted for positioning between the product and the eyelet.
16. A product including a hang tag attached thereto for providing consumers with information relating to the product, the hang tag comprising:  
  
a digital memory encoded with information relating to a product to which it is to

be attached; and means for selective attachment to a product[.]; and said means for attachment includes an eyelet releasably secured to said digital memory.

18. The product according to claim [17] 16, wherein the means for attachment further includes a cord adapted for positioning between the product and the eyelet.



7/ Dupl Amndt  
8. Smith  
27/02  
**COPY**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the  
United States Postal Service  
Under 37 CFR 1.8(a) on the date indicated and is addressed  
to: Commissioner of Patents and Trademarks, Washington, D.C. 20231

  
HENRY A. MARZULLO, JR.

Dated: 9-22-00

Applicant hereby petitions that any and all extensions of the term  
necessary to render this response timely be granted. Costs for such  
extension(s) and or any other fee due with this paper, not fully covered  
by an enclosed check may be charged to Deposit Account #10-0100.

Inventors: Alan A. Siegel and Rod Lowenstein

Serial No.: 09/659,525

Filing Date: 9/12/00

Group:

Examiner:

Title: Apparatus and Method for the Distribution of a...

Docket No.: P-5

**RECEIVED**  
DEC 19 2002  
**GROUP 3600**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**SECOND VOLUNTARY AMENDMENT**

Sir:

This further amendment paper is submitted for filing in the above-identified  
patent application.

Kindly amend the application as follows.

**IN THE DRAWINGS**

Add reference numeral 515 to Fig. 7, in accordance with the print  
submitted herewith and marked-up in red.



IN THE CLAIMS

COPY

Add the following new claims.

~~27. The hang tag of claim 5, wherein said pouch includes an aperture, and said attachment means further includes connecting means between said product and said aperture.~~

~~28. The hang tag of claim 24, wherein said aperture along said edge of said digital memory is disposed away from the encoded information provided on said digital memory.~~

~~29. The hang tag of claim 23, wherein said aperture is disposed beyond the encoded information provided on said digital memory and along the periphery.~~

REMARKS

Applicants respectfully request consideration of the above amendments submitted herein for the present patent application.

Additional new claims 27-29 have been added to the subject patent application to further round out the scope of protection to which applicants are believed entitled.

An early and favorable action is thus earnestly solicited. Any extra claim fee due with the amendment may be charged to this attorney's Deposit Account No. 10-0100. In the event that a credit or another charge is to be made relative to this subject patent application, same may be charged or credited to such

undersigned attorney's Deposit Account No.10-0100. A duplicate copy of this page is attached herewith for such purposes.

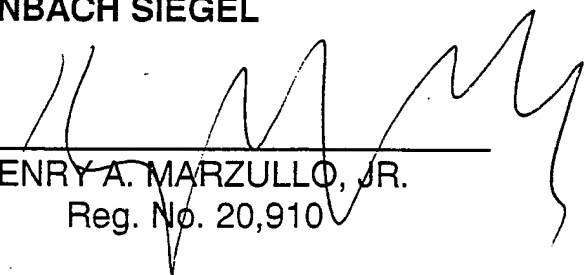
COPY

Respectfully submitted,

LACKENBACH SIEGEL

Dated: 9-22-00  
Once Chase Road  
Scarsdale, New York 10583  
914-723-4300  
volamend-shapeCD-p5

BY:

  
HENRY A. MARZULLO, JR.  
Reg. No. 20,910



COPY

FIG. 7

